



Order Filed on February 6, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR
9004-1(b)**

FEIN, SUCH, KAHN & SHEPARD, P.C.

Counsellors at Law

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Attorneys for Secured Creditor

SETERUS, INC., as authorized

subservicer for FEDERAL NATIONAL

MORTGAGE ASSOCIATION ("FANNIE

MAE")

JILL A. MANZO, ESQ.

678AVG

bankruptcy@feinsuch.com

In Re:

MARK R DAMSTRA

Debtor(s).

Case No.: 17-22723 VFP

Hearing Date: _____

Judge: HONORABLE VINCENT F.
PAPALIA

Recommended Local Form: ☐ Followed ☒ Modified

ORDER AUTHORIZING LOAN MODIFICATION AGREEMENT

The relief set forth on the following page is hereby **ORDERED**.

DATED: February 6, 2018

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".

Honorable Vincent F. Papalia
United States Bankruptcy Judge

Upon the motion of FEIN, SUCH, KAHN & SHEPARD, P.C.

attorneys for the Secured Creditors, SETERUS, INC., as authorized subservicer for FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE"), for authorization to enter into a loan modification agreement; and parties having been given timely notice of the motion; and for good cause shown, it is

ORDERED AS FOLLOWS:

1. The Court hereby authorizes Secured Creditor and Debtor(s) to enter into the loan modification attached as Exhibit "A" to the Motion to Authorize Loan Modification with respect to the Debtor(s) property located at 719 ADAMS ST, HOBOKEN, NJ 07030;

2. In the event a loan modification is completed and the pre-petition arrears are capitalized into the loan, Secured Creditor shall amend the arrearage portion of it's Proof of Claim to zero, the amount paid to date, or withdraw the claim within sixty (60) days of completion of the loan modification;

3. The Chapter 11 Trustee shall suspend disbursements to Secured Creditor pending completion of the loan modification and all money that would otherwise be paid to Secured Creditor shall be held until the arrearage portion of the claim is amended to zero or the claim is withdrawn, or the Trustee is notified by the Secured Creditor that the modification was not consummated;

4. In the event the modification is not consummated, the Secured Creditor shall notify the Trustee and Debtor(s) attorney of same. Any money that was held by the Trustee pending completion of the modification shall then be paid to Secured Creditor;

5. In the event the Proof of Claim is amended to zero or withdrawn, the Trustee may disburse the funds being held pursuant to this order to the other creditors in accordance with the provisions of the confirmed plan;

6. If required, Debtor(s) shall file an Amended Schedule J and Modified Plan within thirty (30) days of this Order; and

7. Communications and/or negotiations between the Debtor(s) and Mortgagees/Mortgage Servicers about the loan modification shall not be deemed a violation of the automatic stay, and any such communication or negotiation shall not be used by either party against the other in any subsequent litigation; and

8. Debtor(s) to provide an executed copy of the Loan Agreement within ten (10) days of closing.

The movant shall serve this order on the Debtor(s), any trustee and any other party who entered an appearance on the motion.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Mark R Damstra
Debtor

Case No. 17-22723-VFP
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 06, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 08, 2018.

db +Mark R Damstra, 610 Adam Street, Hoboken, NJ 07030-2004

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 08, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 6, 2018 at the address(es) listed below:

Bruce H Levitt on behalf of Debtor Mark R Damstra blevitt@levittslafkes.com,
sslafkes@levittslafkes.com;lspcattorneys@gmail.com
David Gerardi on behalf of U.S. Trustee U.S. Trustee david.gerardi@usdoj.gov
Denise E. Carlon on behalf of Creditor MTGLQ INVESTORS, L.P. dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
James Patrick Shay on behalf of Creditor THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW
YORK AS SUCCESSOR IN INTEREST TO JP MORGAN CHASE BANK, NA ET.AL. james.shay@phelanhallinan.com
Jill Manzo on behalf of Creditor SETERUS, INC., as authorized subservicer for FEDERAL
NATIONAL MORTGAGE ASSOCIATION bankruptcy@feinsuch.com
Jonathan C. Schwalb on behalf of Creditor SETERUS, INC., as authorized subservicer for
FEDERAL NATIONAL MORTGAGE ASSOCIATION bankruptcy@feinsuch.com
Nicholas V. Rogers on behalf of Creditor HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR
NOMURA HOME EQUITY LOAN, INC., ASSET-BACKED CERTIFICATES, SERIES 2006-HE1 nj.bkecf@fedphe.com
Nicholas V. Rogers on behalf of Creditor THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW
YORK AS SUCCESSOR IN INTEREST TO JP MORGAN CHASE BANK, NA ET.AL. nj.bkecf@fedphe.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9